

**IN THE DRAWINGS:**

The attached sheet of drawings includes changes to Figs. 9 and 10 to change the wording of reference numerals 902 and 1003 from “unvolatile memory” to “nonvolatile memory.”

Attachment: Replacement Sheet

Annotated Sheets Showing Changes

## REMARKS

Applicants appreciate the Examiner's allowance of Claims 1, 4, 6, 13, 16-19, 21, 24-27, 43, 44, and 46-50.

Applicants are amending Claims 13, 21 and 47 in order to clarify the claimed invention and correct informalities therein. Except as explained below, Applicants are amending Claim 7 to correct informalities therein. Applicants are also amending Figs. 9 and 10 to change the wording of reference numerals 902 and 1003 from "unvolatile memory" to "nonvolatile memory" which is consistent with the terminology used in the specification. See e.g. page 27, ln. 30 and page 28, ln. 23 of the present application. These amendments do not add any new matter and are not in response to a patentability rejection. Accordingly, it is respectfully requested that these amendments be entered and allowed.

Applicants will now address the Examiner's remaining rejection in the Office Action.

### Claim Rejections - 35 USC §103

In the Office Action, the Examiner rejects Claims 7 and 10-12 under 35 USC §103(a) as being unpatentable over Tzeng (US 5,215,934) and Akbar (US 5,656,845). This rejection is respectfully traversed.

While Applicants traverse this rejection, in order to advance the prosecution of this application, Applicants are amending independent Claim 7 to recite the feature of "a control gate comprising metal thin film." This feature is supported by, for example, page 19, lns. 16-22 of the present application.

Neither Tzeng nor Akbar disclose or suggest this feature. Hence, Tzeng and Akbar do not disclose or suggest the claimed device of amended independent Claim 7. Therefore, Claim 7

and those claims dependent thereon are patentable over the cited references, and it is respectfully requested that this rejection be withdrawn.

Conclusion

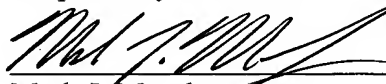
It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any fee should be due for this amendment, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

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Respectfully submitted,



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Fig. 9

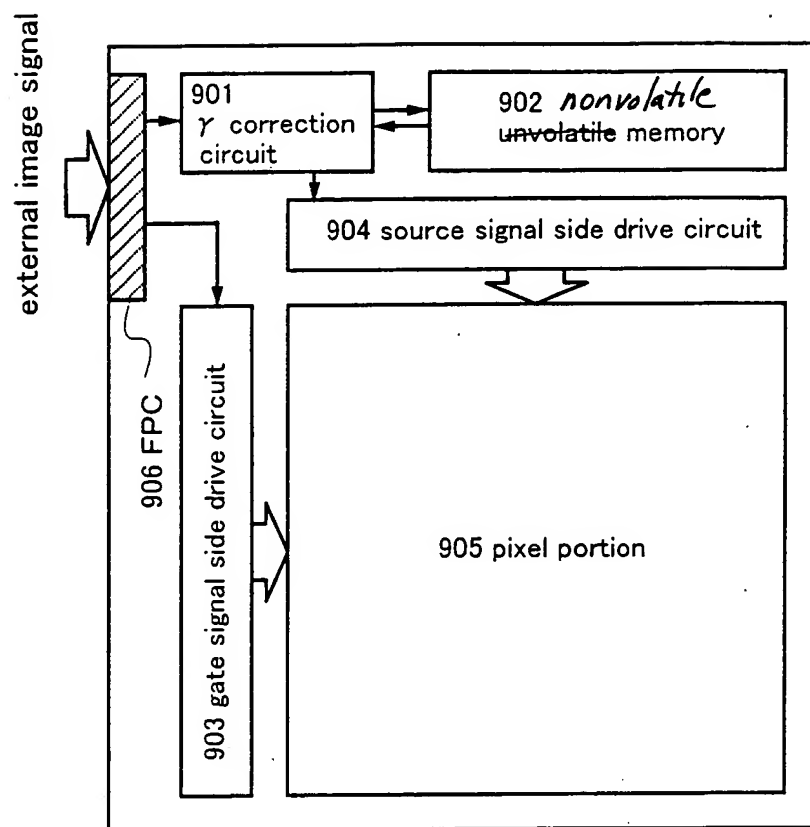


Fig. 10

